

IN THE CLAIMS:

Please amend the claims as follows.

✓ [c1] / (Currently Amended) An orthopedic appliance, comprising a wedge for placement under the phalanges of a toe ~~and not extending under forward of the center of~~ <sup>head</sup> a first metatarsal, the wedge having a top surface adapted to support the toe and a bottom surface, wherein an angle of inclination between the top surface and the bottom surface of the wedge is between 1 and 60 degrees.

*toe is elevating*

[c2] ✓ (Original) The orthopedic appliance of claim 1, wherein the angle of inclination is between 10 and 20 degrees.

7 ✓ [c3] ✓ (Original) The orthopedic appliance of claim 1, wherein the wedge is formed integrally as part of a piece of footwear.

[c4] ✓ (Original) The orthopedic appliance of claim 1, wherein the wedge comprises an elastomeric material.

✓ [c5] ✓ (Original) The orthopedic appliance of claim 1, wherein the wedge comprises a material selected from the group consisting of: cork, leather, resilient foam, and thermoplastic material.

[c6] ✓ (Original) The orthopedic appliance of claim 1, wherein a concave depression is formed in the top surface.

✓ [c7] ✓ (Original) The orthopedic appliance of claim 1, further comprising at least one fastener.

✓ [c8] ✓ (Original) The orthopedic appliance of claim 7, wherein the at least one fastener comprises a plurality of bands disposed adjacent the top surface.

✓ [c9] ✓ (Original) The apparatus of claim 7, wherein the at least one fastener comprises a sheath disposed over the top surface.

✓ [c10] / (Currently Amended) An apparatus for orthopedic treatment, comprising:  
a top surface adapted to support the phalanges of a toe and not extending  
under the center of a first metatarsal;  
a bottom surface; and  
a support which maintains a toe at an angle of inclination between the top surface  
and the bottom surface.

✓ [c11] / (Original) The apparatus of claim 10, wherein the angle of inclination is between  
1 and 60 degrees.

[c12] (Original) The apparatus of claim 10, wherein the angle of inclination is between  
10 and 20 degrees.

7 ( [c13] (Original) The apparatus of claim 10, wherein the support is formed integrally as  
part of a piece of footwear.

[c14] (Original) The apparatus of claim 10, wherein a concave depression is formed in  
the top surface.

✓ [c15] / (Original) The apparatus of claim 10, further comprising at least one fastener.

✓ [c16] / (Previously Presented) The apparatus of claim 15, wherein the at least one  
fastener comprises a plurality of bands disposed adjacent the top surface.

✓ [c17] / (Previously Presented) The apparatus of claim 15, wherein the at least one  
fastener comprises a sheath disposed over the top surface.

✓ [c18] / (Currently Amended) A method for improving stability of a foot during  
ambulation, comprising:

providing a wedge having a top surface positioned substantially under the  
phalanges of a toe and not extending under the center of a first metatarsal,  
and a bottom surface; and  
elevating the toe to a predetermined angle of inclination using the wedge.

✓ [c19] ✓ (Original) The method of claim 18, wherein the angle of inclination is between approximately 1 and 60 degrees.

(✓) [c20] ✓ (Original) The apparatus of claim 18, wherein the angle of inclination is between 10 and 20 degrees.

7 ✓ [c21] ✓ (Previously Presented) The method of claim 18, further comprising fixing the bottom surface of the wedge to a piece of footwear.

✓ [c22] ✓ (Previously Presented) The method of claim 18, further comprising fixing the wedge to the toe using at least one band.

✓ [c23] ✓ (Original) The method of claim 18, further comprising fixing the wedge to the toe using a sheath.

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